

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

LAUREN M. HAMMOND-PABON

Plaintiff,

vs.

AMAZON.COM SERVICES, LLC
AMAZON LOGISTICS, INC.,
AMAZON.COM, INC. and 550 OAK
RIDGE ROAD, LLC

Defendants.

CIVIL ACTION

NO.:

NOTICE OF REMOVAL

PLEASE TAKE NOTICE that, pursuant to 28 U.S.C. § 1441 and § 1332(a)(1), Defendants, Amazon.com Services, LLC, Amazon Logistics, Inc. and Amazon.com, Inc. (“Amazon”), by and through its counsel, WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP, hereby remove this action to the United States District Court for the Middle District of Pennsylvania from the Court of Common Pleas of Luzerne County, Pennsylvania on the following grounds:

1. On April 8, 2022, Plaintiff Lauren M. Hammond-Pabon filed a Complaint against Amazon and Defendant 500 Oak Ridge Road, LLC for damages allegedly sustained as a result of a slip and fall incident that allegedly occurred on

February 11, 2020. *See* a true and correct copy of Plaintiff's Complaint attached hereto and marked as Exhibit "A."

2. This civil action is a controversy between citizens of different states.

3. Plaintiff is a citizen of Pennsylvania with an address located at 1246 Markley Street, Norristown, Montgomery County, Pennsylvania 19401. *See* Complaint, ¶ 1.

4. Plaintiff alleges that Defendant 550 Oak Ridge Road, LLC is a "foreign limited liability company with a registered address of 600 North Second Street, Suite 401, Harrisburg, PA 17101." *See* Complaint, ¶ 5.

5. Defendant 550 Oak Ridge Road, LLC is a corporate entity incorporated under the laws of the state of Delaware with its principal place of business located in the state of California.

6. Defendant Amazon is a corporate entity with a principal place of business located in the state of Washington at 410 Terry Avenue North, Seattle, Washington 98109.

7. Accordingly, the parties are citizens of different states and the diversity of citizenship requirement as outlined in 28 U.S.C. § 1332(a) is satisfied.

8. Defendant 550 Oak Ridge Road, LLC has consented to Removal.

9. Without admission thereto, the Complaint asserts claims for negligence and respondeat superior, and seeks recovery of both past and future compensatory damages for alleged pain and suffering, loss of physical function, and loss of earnings. *See* Complaint, ¶¶ 28-31.

10. Plaintiff's Complaint specifically alleges that she "suffered serious injuries" including but not limited to: right rotator cuff injury, cervical injury with radiculopathy, cervical spondylosis, lumbar strain with radiculopathy, chronic pain syndrome and disk injuries to cervical, thoracic and lumbar spine. *See* Complaint at ¶29.

11. Based upon the allegations of Plaintiff's Complaint, Plaintiff's claimed damages are in excess of \$75,000.00 the minimum amount in controversy requirement as outlined in 28 U.S.C. § 1332(a).

12. Accordingly, this District Court has diversity jurisdiction over this lawsuit.

13. Venue is proper in this District Court as the alleged accident occurred in this judicial District, which is within this judicial District.

14. Upon information and belief, Plaintiff's Complaint was served upon Amazon via certified mail on or about April 8, 2022.

15. This Notice of Removal is timely as it is being filed within thirty (30) days of the service of the Complaint as required by 28 U.S.C. § 1446(b).

16. Pursuant to the provisions of 28 U.S.C. § 1446(a), copies of all state-court papers which are in Amazon's possession at, or before, the time of removal (consisting of the Writ of Summons, Complaint, Affidavits of Service, and Entries of Appearance) are attached to this Notice as Exhibit "A."

17. Therefore, this civil action is properly removable pursuant to 28 U.S.C. § 1332(a)(1) and may be removed to this Court pursuant to the provisions of 28 U.S.C. § 1441(a-b) in that it is a civil action between citizens of different states, and the matter in controversy exceeds the sum of \$75,000.00, exclusive of interest and costs.

18. Upon filing the within Notice of Removal in the Office of the Clerk of the United States District Court for the Middle District of Pennsylvania, Defendants, Amazon.com Services, LLC, Amazon Logistics, Inc. and Amazon.com, Inc. have given notice to counsel for Plaintiff and will file a copy of this Notice with the Prothonotary of the Court of Common Pleas of Luzerne County, Pennsylvania.

WHEREFORE, Defendants, Amazon.com Services, LLC, Amazon Logistics, Inc. and Amazon.com, Inc., respectfully request that this action proceed as though originally commenced in this Court.

Respectfully submitted,

**WILSON, ELSER, MOSKOWITZ,
EDELMAN & DICKER LLP**



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Date: May 5, 2022